

## **REMARKS**

Claims 1, 3-4, 6, 8-11, 13-16, 18-20, 22, 24-27, and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 6,345,349 to Coulson (hereinafter “Coulson”) in view of United States Patent Application 2004/0117606 by Wang et al. (hereinafter “Wang”) and in further view of United States Patent Number 5,590,337 to Rahman et al. (hereinafter “Rahman”). Claims 31-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Coulson in view of Wang in view of Rahman and in further view of United States Patent Application 2002/0157054 by Shin et al. (hereinafter “Shin”). Claims 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulson in view of Wang and Rahman and in view of United States Patent Number 6,678,858 to Imazato (hereinafter “Imazato”).

For the Examiner’s convenience and reference, Applicants’ remarks are presented in substantially the same order in which the corresponding issues were raised in the Office Action. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references.

### **Response to rejections of claims under 35 U.S.C. § 103(a)**

Claims 1, 3-4, 6, 8-11, 13-16, 18-20, 22, 24-27, and 29-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Coulson in view of Wang and in further view of Rahman.

Claims 31-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Coulson in view of Wang in view of Rahman and in further view of Shin. Claims 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coulson in view of Wang and Rahman and in view of Imazato. Applicant respectfully traverses these rejections.

Independent claims 1, 6, 11, 16, 22, and 27 include the limitation “...associate an identifier with the prefetched data packet prior to receiving the request if the prefetched data packet contains the uncorrectable error...” Claim 1. See also claims 6, 11, 16, 22, and 27. Thus the present invention claims *associating an identifier with the prefetched data packet if the prefetched data packet contains an uncorrectable error.*

In contrast, Rahman teaches two abort flags 306 that are set if there is a hard abort, and two uncorrectable memory error (UCME) flags 308 that are set if an UCME occurs. Rahman, col. 9, lines 13-21; fig. 4. There is an abort flag 306(1) and a UCME flag 308(1) for the PFQ1 buffer and an abort flag 306(0) and a UCME flag 308(0) for the PFQ0 buffer. Rahman, fig. 4. Identifiers are not associated with the PFQ buffers as there are only two buffers and the abort flags 306 and UCME flags 308 are hardwired for one or the other PFQ buffers. Rahman, fig. 4.

By associating the identifier with the prefetched data packet, the present invention allows a variable number of prefetched data packets, and each prefetched data packet may be of a variable length. Thus Applicants submit that Rahman, as well as Coulson and Wang does not teach *associating an identifier with the prefetched data packet if the prefetched data packet contains an uncorrectable error* and that claims 1, 6, 11, 16, 22, and 27 are allowable.

Applicants further assert that there is no teaching or suggestion in the Coulson, Wang and

Rahman references to combine the teachings of the references. Coulson does not teach prefetching. Wang and Rahman both teach prefetching. Wang, ¶ 28; Rahman, col. 9, lines 15-18. However there is no teaching or suggestion to combine Wang's predictions as to whether prefetch data will be used with Rahman's testing for errors in a later prefetched eight words of data. Wang, ¶ 25; Rahman, col. 9, lines 15-18. Absent a teaching or suggestion to combine, Applicants therefore submit that claims 1, 6, 11, 16, 22, and 27 cannot be unpatentable over Coulson in view of Wang and in further view of Rahman and should be allowed.

With regards to claims 31-36, Applicants submit that there is no teaching or suggestion to combine Shin with the Coulson, Wang, and Rahman references. Shin is directed to serial communications through a switching network, while Coulson, Wang, and Rahman are directed to local memories. Shin, ¶ 76, lines 2-4, fig. 1; Coulson, Abstract; Wang, Abstract; Rahman, Abstract. Because Shin and Coulson, Wang, and Rahman are directed to different fields of endeavor, Applicants assert that claims 31-36 cannot be unpatentable over Coulson in view of Wang in view of Rahman and in further view of Shin and are allowable.

Applicants further submit that claims 3-5, 8-10, 13-15, 18-21, 24-26, and 29-30 are allowable as being dependent from allowable claims. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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